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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/469,633	12/22/1999	MICHAEL T. WHITE	F19-99-140	5198

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INTERNATIONAL BUSINESS MACHINES CORPORATION  
DEPT. 18G  
BLDG. 300-482  
2070 ROUTE 52  
HOPEWELL JUNCTION, NY 12533

EXAMINER

ZEENDER, FLORIAN M

ART UNIT PAPER NUMBER

3627

DATE MAILED: 12/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/469,633

Applicant(s)

WHITE ET AL.

Examiner

F. Ryan Zeender

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

Claims 1-3, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller in view of Rassman et al. and Official Notice.

Miller discloses a method for facilitating implementation of an automated system for transacting business, the system having a plurality of users; the method including the steps of: assigning a user identifier (See Col. 3, line 53 – Col. 4, line 8); preparing a security profile corresponding to each identifier, each security profile including a set of authorized transactions (See Col. 3, line 53 – Col. 4, line 14; and Col. <sup>tasks ? same?</sup>12, line 64 – Col. 12, line 13); the system allowing incompatible/conflicting transactions to be locked out providing security (See Col. 12, lines 3-9).

Miller lacks the specific teaching of the method including the steps of the users being subject to predetermined rules governing business conduct; <sup>1</sup>preparing a list of incompatible transactions (incompatible with the rules governing business conduct); <sup>2</sup>comparing each security profile with the list to identify the security profiles with incompatible transactions; and <sup>3</sup>generating a report.

Rassman et al. teach a computer system for business whereby conflicts involving resources are identified/listed, indicia being employed to notify operators of conflicts, automatic notification of conflicts to relevant personnel, and automatic adjustment of schedules/resources to correct the conflict (See Col. 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Miller to include the steps of preparing a list of incompatible

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transactions, comparing each security profile with the list to identify the security profiles with incompatible transactions, and generating a report, in view of Rassman et al., in order to provide a cost efficient system (See Rassman et al., Col. 2, lines 27-30).

*Further, the Examiner takes Official Notice that it is well known in business to create a list of incompatible transactions for certain employees and to monitor the transactions of the employees in order to determine which employees have conducted incompatible transactions. A rude example of this well known business security tool would be in a restaurant setting where an employee is authorized to prepare food OR handle the cash register, but not both. If the employee performs both actions (food and cash register), that is considered "incompatible" because there is a chance for the employee to give food away without charging the customer.*

See  
page 102  
of  
specification  
for an other  
example

### **Response to Arguments**

Applicant's arguments filed 11/25/03 have been fully considered but they are not persuasive.

The Examiner maintains that the limitations lacking in the combination of Miller and Rassman et al. are limitations that are well known in the art. The Examiner has used Official Notice, including an example as described above, to illustrate his position.

The applicant stresses that the "automated process" is not anticipated by the prior art and is not obvious or well known. However, the Examiner is not convinced that automating a well known concept (as described in the Official Notice example above) is

novel and/or unobvious, particularly in combination with the teachings in Miller and Rassman et al.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Ryan Zeender whose telephone number is (703) 308-8351. The examiner can normally be reached on Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Olszewski can be reached on (703) 308-5183. The receptionist's phone number for the Technology center is (703) 308-1113.

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The fax phone number for the organization is (703) 872-9327 for after-final communications.

 12/22/03

F. Zeender

Patent Examiner, A.U. 3627

December 22, 2003